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5 Counsel for Defendant LIM

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7
8 IN THE UNITED STATES DISTRICT COURT
9
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)

12)
13 Plaintiff,)

14 v.)

15 LEONARD LIM,)

16)
17 Defendant.)

No. CR 06-0530 SBA

STIPULATION AND
ORDER CONTINUING CHANGE OF
PLEA DATE AND SENTENCING;
EXCLUSION OF TIME

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of
19 plea and sentencing date, currently set for December 9, 2008, at 10:00 a.m. be continued to February
20 3, 2009, at 10:00 a.m. for change of plea and sentencing. The background is that the parties have
21 reached a plea agreement to be entered into under Fed. R. Crim. P. 11(c)(1)(C) and the Court has
22 excluded time in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(1)(I)
23 as it considers the proposed plea agreement. Defense counsel has received the final presentence
24 report but has not had the opportunity to review it with Mr. Lim who has been physically sick and
25 bed-ridden for the last couple of weeks. Counsel needs additional time to review the Presentence
26

1 Report with Mr. Lim and to file a sentencing memorandum with the Court. This is especially true
2 given the many complicated health issues upon which the probation officer has relied in making the
3 sentencing recommendation contained in the final Presentence Report.

4 DATED: December 3, 2008

5 _____/s/
6 JOYCE LEAVITT
7 Assistant Federal Public Defender

8 DATED: December 3, 2008

9 _____/s/
10 WADE RHYNE
11 Assistant United States Attorney

12 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
13 conformed signature “/s/” within this e-filed document.

14 ORDER

15 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea and
16 sentencing date, currently set for December 9, 2008, at 10:00 a.m. is hereby continued to Tuesday,
17 December 19, 2008, at 1:00 p.m., for change of plea and sentencing.

18 IT IS FURTHER ORDERED that the time continues to be excluded in accordance with the
19 provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(1)(I) until December 19, 2008, as the
20 Court considers the proposed plea agreement to be entered into by the defendant and attorney for the
21 government and 18 U.S.C. § 3161 8(a) & B(iv) to allow for effective preparation of counsel.

22 SO ORDERED.

23 DATED: 12/8/08

24 
25 HONORABLE SAUNDRA BROWN ARMSTRONG
26 United States District Judge